

Catawba County Board of Health
Minutes
June 1, 2015

The Catawba County Board of Health met on Monday, June 1, 2015. The regular meeting of the Board of Health convened at 7:00 p.m. at Catawba County Public Health, 3070 11th Av Dr SE, Hickory, NC 29602 in the Boardroom.

Members present: Mr. William Mixon, Chair
Mr. John Dollar, Vice-Chair
Mr. Dan Hunsucker, County Commissioner
Dr. Matthew Davis
Mr. Brian Potocki
Dr. David C. Hamilton, Jr.
Ms. Brenda Watson
Ms. Naomi East
Dr. David L. Harvey
Ms. Dana H. Greene

Members Absent: Dr. Sharon Monday

Staff present: Mr. Doug Urland, Health Director
Ms. Kelly Isenhour, Assistant Health Director
Ms. Sindie Sigmon, Business Manager II
Ms. Jennifer McCracken, Health Services Manager
Mr. Mike Cash, Environmental Health Supervisor
Ms. Julie Byrd, WIC Nutrition Supervisor
Ms. Chantae Lail, Medical Lab Manager/Preparedness Coordinator
Ms. Rhonda Stikeleather, Children's Services Nurse Supervisor
Ms. Amy McCauley, Community Outreach Manager
Mr. Zack King, Community Health Analyst
Ms. Martha Knox, Administrative Assistant III

Visitors: Ms. Debra Bechtel, County Attorney
Mr. Bradley Setzer, Law Clerk – Summer Intern

CALL TO ORDER

Mr. William Mixon, Chair called the meeting of the Catawba County Public Health Board to order at 7:00p.m. Mr. Mixon welcomed Ms. Debra Bechtel, County Attorney and Mr. Bradley Setzer, Law Clerk.

APPROVAL OF THE AGENDA

Mr. William Mixon, Chair, stated that the agenda for the June 1, 2015, meeting of the Board of Health was included in the packet and he asked if there were any changes to the agenda. Hearing none, Mr. Mixon asked for a motion to accept the Agenda as presented. Mr. Dan Hunsucker so moved and Ms. Naomi East seconded the motion. The motion passed unanimously.

CLOSED SESSION

Debra Bechtel, County Attorney, stated that pursuant to NCGS 143-318.11 (a)(3), she requested that the Board of Health go into closed session to consult with an attorney employed or retained by the public body to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

Dr. David L. Harvey made a motion to leave the regular session of the Board of Health and go into a closed session with the County Attorney. Mr. Dan Hunsucker seconded the motion and it passed unanimously.

The Board of Health returned to regular session and no action was taken. After the closed session, the staff returned to the regular meeting of the Board of Health.

APPROVAL OF MINUTES

The minutes for May 4, 2015, were included in the Board packet. Mr. William Mixon, Chair, asked if there were any corrections, hearing none, he asked for a motion to accept the minutes as presented. Dr. David Hamilton, Jr., made a motion to accept the May 4, 2015 minutes as presented and Ms. Brenda Watson seconded the motion. The motion passed unanimously.

PUBLIC COMMENTS

Mr. Mixon asked if anyone presented to speak before the Board. Ms. Martha Knox, Administrative Assistant III, stated that no one had presented to speak.

NEW EMPLOYEES

Mr. Mixon asked if there were new employees to be introduced to the Board. Ms. Martha Knox stated there was and asked Ms. Amy McCauley, Community Outreach Manager, to introduce Mr. Zack King. Ms. McCauley stated that Zack King joined Public on May 18, 2015 as a Community Health Analyst. Ms. McCauley stated that Zack has an undergraduate degree in Public Health from the University of South Carolina and masters in Public Health from the University of Georgia. Zack has begun work on the Community Health Assessment and the community coalition work. Mr. Mixon welcomed Zack to the staff on behalf of the Board.

COMMISSIONER'S COMMENTS

Mr. Dan Hunsucker, County Commissioner, stated that the Catawba County Board of Commissioners met on this date and the Commissioners issued a proclamation declaring the third week of June 2015 as "Eat, Drink and Be Local Week", which focuses annually on raising awareness of the importance of locally grown foods, both to the county economy and toward providing citizens with fresh, nutritious food options. Local restaurants will again be involved in the observance by featuring locally grown foods on their menus during the week.

The Board of Commissioners also approved the 2015-16 Budget, which includes the adoption of a \$0.575 property tax rate for every \$100 of valuation establishes a tax rate that can be held constant for four years--until the next revaluation cycle in 2019. This rate is projected to be the 8th lowest tax rate of the 27 urban counties in North Carolina--those with a population over 100,000--and the 2nd lowest among Catawba's neighboring counties.

The increased tax rate will allow the county to continue to have an EMS response less than 8 minutes, expand the jail facilities to prevent over-crowding, and open the parks six days a week. Commissioner Hunsucker stated that 45.8% revenue goes to education and 25% of the budget focuses on public safety.

NC HEALTH LAW UPDATE

Ms. Debra Bechtel, County Attorney, stated the Board and Management Team hear the legal update each year. She stated that part of the reason is to document that the Board and Public Health staff has access to legal counsel for NC Accreditation standards. Ms. Bechtel and Doug Urland, Health Director attends the Health Director's Legal Conference that is held in Chapel Hill, at the UNC School of Government annually.

Ms. Bechtel introduced Bradley Setzer, a law clerk in the County Legal office this summer. Mr. Setzer will share the high points of the legal conference with the Board. Mr. Setzer stated the three topics that the PowerPoint will focus on are:

- Immunizations
- Quarantine/Isolation
- Rabies

Immunizations – Mr. Setzer stated that in 1905 the US Supreme Court stated that States may require vaccinations necessary to protect the public health. In 1922 the Supreme Court ruled that vaccinations may be required as a condition of school entry. In 2011, the court ruled that exemptions for medical conditions are constitutionally required; however, exemptions for religious objections are not required. Ms. Bechtel stated that some entity tried to get the court to reverse their previous decision in 2011, however, the court refused to hear that case.

The case originated in West Virginia, however, Ms. Bechtel stated it was heard in the 4th Circuit of Appeals and therefore it was a federal case. Religious exemptions are only considered if it involves the issue of the welfare of the child. If a parent does not have custody of the child, they cannot claim religious exemption from vaccinations.

Medical exemptions are constitutionally required in all states, religious exemptions are not constitutionally required, however, are allowed in 48 states (only W. Virginia and Mississippi do not allow this exemption). Personal/Philosophical exemptions are not constitutionally required, are allowed in 20 states which include: AZ, AR, CA, CO, ID, LA, ME, MI, MN, MO ND, OH, OK, OR, PA, TX, UT, VT, WA, and WI. Personal/Philosophical exemption is not recognized in NC.

Mr. Setzer shared stated that the general rule in North Carolina is that every child in the state must be immunized. There are two exemptions in NC medical and religious exemptions. Vaccines and doses that will take effect as of July 1, 2015 can be found at 10A NCAC 41A.0401 of the NC Administrative Code.

NC requirements for complying with immunizations of children include: parents, guardians, person in loco parentis, person or agency with legal custody of a child. This requirement can be found at G.S. 130A-152(a) Authority to consent to child's immunizations are: parent, guardian, or person in loco parentis, DSS when authorized to consent to medical treatment (G.S. 78-903), Adult authorized by parent, guardian, or person, ILP (must sign), and a Minor alone (limited circumstances) – this would be an emancipated minor. G.S. 130A-153(d).

The NC General Statutes at 130A-155 specifies that parent or guardian must provide immunization records and if no certificate is provided or it is incomplete, the parent or guardian is given 30 days to comply. After 30 days, if no action the child must be excluded from school. Ms. Bechtel stated that this is not enforced in the schools uniformly, and although it is the law some principals are flexible regarding allowing time to get the children immunized. Dr. Harvey asked if the Principals are the authority in the schools. Ms. Bechtel stated ultimately it is the school system, however, the way it is administered rest with the individual school principals.

There are forms for medical exemption that must be signed by a physician, and a hand written statement is accepted for religious exemptions from the parents. For a religious belief exemption, must state the bona fide religious beliefs of the parent, guardian or person in loco parentis that are contrary to the requirements. Ms. Rhonda Stikeleather stated that the school nurses are working with the parents and make sure they understand that if they refuse to immunize their children and there is an outbreak, those children will be excluded from school until the outbreak is over. Mr. Doug Urland, Health Director, stated that to reinforce the 30 day deadline, CCPH has been working with school administrators the importance of following up and ensuring that the students get the required immunizations.

Mr. Setzer stated that Mississippi recently rejected religious exemption and there is a push in some other states to end or limit non-medical exemptions. There are also proposals to attach requirements to obtaining exemptions, such as informed refusal procedures.

Quarantine and Isolation – Mr. Setzer explained the difference between quarantine and isolation. He stated that quarantine refers to control measures and applies to people who appear well but may pose a risk of disease to others. Isolation – refers to disease control measures applied to people who are infected with a disease.


In NC GS 130A-2(3a) and (7a) provides the following statutory definitions:

- Authority to limit the movement or freedom of action of a person infected or reasonably suspected to be infected with a communicable disease or condition
- Authority to limit access to an area or facility contaminated with infectious agent
- Authority to limit freedom of movement or action of unimmunized persons

Under NC GS 130A-145(a) – The State Health Director and a local health director are empowered to exercise quarantine and isolation authority. Quarantine and isolation authority shall be exercised only when and so long as the public health is endangered, all other reasonable means for correcting the problem have been exhausted, and no less restrictive alternative exists.

Must determine if quarantine is justified and will it be effective (see slides below)

Is Quarantine Justified?	Will Quarantine be Effective?
<ul style="list-style-type: none">• Is the public's health endangered?• What is the gravity of that risk?• Have all other reasonable means of controlling disease been exhausted?• Do other, less restrictive, alternatives exist?	<ul style="list-style-type: none">• Disease Transmission<ul style="list-style-type: none">• What is the mode of transmission?• Is it easily transmitted?• Is it transmitted in the early (presymptomatic) stage?• Population: is the population susceptible?• Contacts<ul style="list-style-type: none">• Can they be rapidly identified?• Will they comply?



Mr. Setzer shared a list of Disease that can warrant quarantine from the Centers for Disease Control (CDC), and they include:

- Cholera
- Diphtheria
- Infectious Tuberculosis
- Plague
- Smallpox
- Yellow Fever
- Viral Hemorrhagic Fevers
- Severe Acute Respiratory Syndromes (SARS)
- Flu that can cause a pandemic

Ms. Bechtel stated that Tuberculosis and HIV are the two diseases that often have an isolation order issued to protect the public's health.

Dr. Harvey asked if the federal list of diseases that can warrant quarantine is defined by State Statute. Ms. Bechtel stated that the list is duplicated at the State level. She added that when Doug has to do an isolation order and someone does not comply, the person can be arrested for non-compliance. Dr. Harvey asked about a surveillance of the person that is being quarantined. Ms. Bechtel stated medications must be administered daily. Sometimes the community plays a role in alerting Public Health that someone is not complying with an isolation order. Also, if the nurse goes to administer the medication and the patient is not home, the person will have an arrest warrant issued.

Rabies –

Mr. Setzer listed the following legal duties of a local health director:

- Appoint certified rabies vaccinators – G.S. 130A-186
- Organizes one rabies vaccination clinic per year G.S. 130A-187 - Debra Bechtel, stated Catawba County has several rabies clinics each year.
- Declare geographic rabies quarantine G.S. 130A-194
- Authorize euthanasia G.S. 130A-196
- Seize biting animal when owner refuses to confine the animal G.S. 130A-196

Debra Bechtel, County Attorney, stated that declaring geographic rabies quarantine or authorizing euthanasia would be done for a broader spectrum of animals. Doug Urland, Health Director, stated that he has never had to declare a geographic quarantine. Ms. Bechtel stated that although unusual it is good to know that option is available if needed. Mr. Urland added that before a geographic quarantine would be ordered a census of the animals in the area would be conducted by animal services. Ms. Bechtel and Mr. Urland both agreed that rabies has been controlled better in recent years, which is why a geographic quarantine has not been utilized.

Regarding the legal right for the Health Director to enter property to enforce the rabies law, it is preferable to obtain the consent of the owner. Ms. Bechtel stated that if an owner refused to grant access, she would go to a magistrate and obtain an inspection warrant per G.S. 15-27-2. She added that magistrates are available 24/7 and therefore, there is a short turn-around for that warrant.

If an owner does not cooperate, an owner can be charged with a misdemeanor under 103A-25, which would be a Class 2 misdemeanor. This would be for failing to confine a biting dog, cat, or ferret for 10 days as required by the health director. All other violations would be a Class 1 misdemeanor. The fine could be up to \$1,000 and 60 days of community punishment (which could be house arrest or community service). Ms. Bechtel stated that this course of action is to ensure that the animal is in a location where they can be observed and that they are not developing rabies after it has bitten someone or another animal.

North Carolina requires vaccination for Rabies for dogs, cats and ferrets. Ms. Bechtel stated at this time it is unknown if vaccinating monkeys or other animals is effective. If a monkey bites someone else, the owner is required to quarantine that animal.

Mark Pettit, Assistant Director of Emergency Services, is over Animal Control Services and he works closely with Doug Urland, Health Director regarding quarantine of animals. Staff from both departments and the County Attorney meets annually to review processes and forms to ensure an efficient working on issues.

Mr. Setzer stated that regarding local Rabies Law Adoption, the local board of health could adopt additional rabies laws; however, State law would preempt any local ordinance. Ms. Bechtel stated that State rabies laws in North Carolina are very good. Doug Urland, Health Director, stated that Public Health laws in North Carolina are very well established. He added that there is concern when the General Assembly proposed legislation that weakens public health laws and rules.

Dr. Harvey asked if there were and NC statutes regarding exotic animals such as birds. Ms. Bechtel stated that the General Assembly allows local officials to regulate exotic and wild animals and the Catawba County Commissioners has a comprehensive ordinance that prevents citizens from keeping bears, monkeys, primates or venomous snakes. The real issue in Catawba County at this time is Buffalo Beal's Animal Park. It is a zoo and regulated by the U.S. Department of Agriculture. The federal government a 110 count complaint against Buffalo Beal's related to inadequate housing care and food for the animals in their care. That case is pending and Ms. Bechtel has been working with the N.C. attorney out of Raleigh on this issue due to the monkey bites that have been experienced by citizens visiting that park over the past two years.

Ms. Bechtel stated that one of Mr. Setzer's summer projects as a law clerk is to look at options that may be available to the Board of Commissioners to deal with the problems at the animal park. She stated that Dr. Carl Williams, N.C. State Veterinarian, stated that he feels there may be a standard that larger zoos have that may be able to be applied in this instance.

Ms. Bechtel asked if there were any further questions. Hearing none, Ms. Bechtel reminded the Board should they have a question in the future for her to feel free to contact her.

CHILD FATALITY PREVENTION TEAM

Ms. Jennifer McCracken, Health Services Manager, gave a presentation on the Child Fatality Prevention Team (CFPT) in Catawba County. She stated that North Carolina required one team in every county and the team involved a diverse group of agencies and disciplines. The CFPT reviews child fatalities for children under the age of 18 in the county and identify system problems that need improvements in order to maximize the safety for the community's children. Recommendations result from these reviews that act to prevent child deaths and address child protection issues. Recommendations are also made to the State Child Fatality Team in Raleigh that perhaps could lead to legislation to prevent future deaths not only in Catawba County but Statewide.

The team consists of: County Health Director, County Social Services Director, District Court Judge, Law Enforcement Officer, Local Guardian Ad Litem, Medical Examiner, Local health care provider, Fire Fighter/EMS, School Superintendents (or their designee), and other Community Child Advocates.

In the data that Ms. McCracken shared with the Board, she stated that there were 16 deaths recorded for children in Catawba County during 2014. 62% of those deaths were in children under the age of 1 (10 deaths), which could be attributed to babies born too early or having a condition where life could not be sustained. She stated that in looking at the reasons for the deaths, 44% came from prenatal issues or perinatal conditions. 32% of the deaths came from illness including Cancer or other underlying medical conditions. One of the deaths was due to drowning and one from asphyxiation. One death was ruled as SIDS and one death was from choking.

After the deaths are reviewed the team tries to determine how to make Catawba County safer for children. The team works closely with the Department of Social Services to learn what can be done to prevent child abuse and neglect of children that can lead to their deaths.

Ms. McCracken reported that the Coordination for Children (CC4C) wrote and received a grant for \$5,000 that will provide to provide park and plays to families, which will reinforce safe sleeping environments for children. The following areas of emphasis that the CFPT encourages:

- Proper assessing of risk, safety, and trauma of children and families to prevent abuse and neglect.
- Continue prevention messages about co-sleeping/safe sleeping environments.
- Support the Period of Purple Crying for new parents
- Continue to advocate for early entry into Prenatal Care
- Support the Darkness to Light initiative regarding helping raise awareness of citizens to report child sexual abuse.
- Support substance abuse initiatives in the community (including Project Lazarus)
- Support Domestic violence initiatives in the community (Family Guidance Center)
- Examine prevalence of unrelated caretakers as perpetrators of abuse
- Enhance community awareness about the dangers of Distracted Driving Among Teens (Annual Preventing Distracted Driving Video)

The Council on Adolescence became the lead agency for the 2015 Distracted Driving Video contest. That is held every April in conjunction with Distracted Driving Awareness Month. Ms. McCracken stated that this year 16 Distracted Videos were entered in the 2015 contest and the grand prize winner was Hickory High School e-Commerce Honors class. Ms. McCracken added that North Carolina sees Distracted Driving as an issue that needs to be addressed to help prevent future deaths.

The Board viewed the winning 2015 Distracted Driving Video and another video that highlighted a testimonial from Ryan Turner, the brother of Justin Turner, who lost his life due to distracted driving in October 2014 in Claremont. Ms. McCracken stated that Mr. Allen Findley, owner of a local advertising agency, worked with the Distracted Driving Campaign this year and provided professional assistance in the 2015 contest. The poster at the end of the Ryan Turner video was a poster that Mr. Findley adapted from another campaign.

Commissioner Dan Hunsucker stated that he has not had an opportunity to attend one of the Darkness to Light seminars and asked Ms. McCracken how long the training lasts. Ms. McCracken stated that it is up to four hour training, and the training is facilitated by the Children's Advocacy Center.

Dr. David Harvey asked if CFPT committee has access to law enforcement records. Ms. McCracken stated that the participants including law enforcement, Department of Social Services, Emergency Medical Services, and healthcare providers share records when cases are reviewed. Mr. William Mixon, Chair, thanked Ms. McCracken for her report.

2015-16 BOARD OF HEALTH CALENDAR

Doug Urland, Health Director, stated that the Board members have a copy of a proposed calendar for the meeting of the Board of Health in 2015-16. He stated that historically the Board does not meet in July because the end of year report is not ready for consideration by the Board, however, should a meeting be needed it can be added to the schedule.

Ms. Brenda Watson made a motion to accept the meeting schedule as presented. Mr. John Dollar seconded the motion and it passed unanimously.

HEALTH DIRECTOR'S REPORT

Mr. Urland stated he had a brief report for the Board.

Budget – Public Health again has experienced a reduction in force (RIF) of one interpreter position in the 2015-16 fiscal year. This is the 3rd fiscal year in a row that Public Health has experienced reduction in force. With the budget that was approved by the Commissioners today, there are two positions (public health nurse and environmental health specialist) that were not approved but those position requests will be revisited mid- year with the County Manager.

School Health funding – CVMC has given additional money to assist with school health in the amount of \$500,000. Half of those funds, \$250,000 will go directly to the schools and the other half will be used to assist Public Health with the financial deficit. Mr. Urland stated that Public Health will give an update on the Budget once the 2014-15 fiscal year has been closed out and also how the budget is impacted by the State budget at that time.

Coal Ash Update – Sherrill's Ford area has coal ash and some wells are being tested and are involved. May 19th 22 of Health Risk Assessments were notified of some contaminates.

Mr. Urland announced to the Board that Alice Layne, Home Health Manager has retired as of July 1, 2015, and June 8th will be her last day.

OTHER BUSINESS

Hearing no further business, Mr. Dan Hunsucker moved that the Board of Health be adjourned. Dr. David Harvey seconded the motion and it passed unanimously. The meeting adjourned at 9:05p.m.

Respectfully Submitted.

A handwritten signature in black ink, appearing to read 'DWU', is written over the printed name of Douglas W. Urland.

Douglas W. Urland
Health Director

DWU: mjk